

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF VIRGINIA  
Lynchburg Division**

In re:

Tracy Sue Grooms-Key

Case No. 14-62431-RBC

Debtor.

Chapter 13

Green Tree Servicing LLC,

Plaintiff,

v.

James K. Key, Co-Debtor,

Defendant.

**MOTION FOR RELIEF FROM STAY AS TO  
CO-DEBTOR PURSUANT TO 11 U.S.C. § 1301 (c)(3)**

NOW COMES Green Tree Servicing LLC, by counsel, and for its Motion for Relief from Stay as to Co-Debtor states as follows:

1. That on or about December 19, 2014, Debtor filed a Chapter 13 bankruptcy. Debtor has filed a Chapter 13 plan.
2. Debtor is the owner of an interest in certain real property known as 127 Harlow Town Road, Louisa, VA 23093.
3. That Plaintiff is a secured creditor of Debtor pursuant to the terms of a deed of trust on the

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above-described property, which said deed of trust is duly recorded in the Clerk's Office of the Circuit Court, Louisa County, Virginia.

4. That James K. Key is a Co-Debtor, is liable on the contract with Plaintiff, and is a co-owner of the above-described property.

5. That under the terms of the plan, Debtor proposed to pay all post-petition payments directly to Plaintiff, outside of the Chapter 13 plan.

6. Debtor is in default in the making of the payments and is presently past due for the remainder of the February 5, 2015 payment and the entire March 5, 2015 payment for post petition arrearages totaling \$1,486.00, with a payoff of approximately \$183,940.21 good through April 5, 2015 on said account.

7. Plaintiff has incurred attorney's fees and costs in the filing of this Motion.

8. That Plaintiff lacks adequate protection.

9. For the above and foregoing reasons, Plaintiff asserts that cause exists sufficient to waive the requirement of Bankruptcy Rule 4001(a)(3), therefore allowing the Order granting the relief sought to be effective upon its entry.

WHEREFORE, Plaintiff moves the Court for relief from the automatic stay as to Co-Debtor pursuant to 11 U.S.C. 1302 (c)(3) so that it may proceed under state law.

Green Tree Servicing LLC

/s/ Sara A. John  
Sara A. John  
M. Richard Epps, P.C.

Certificate of Service

I hereby certify that on March 31, 2015, I mailed or electronically served a true copy of the foregoing Motion for Relief From Stay to: Tracy Sue Grooms-Key, 127 Harlow Town Road, Louisa, VA 23093; James K. Key, 127 Harlow Town Road, Louisa, VA 23093; Douglas E. Little, Counsel for Debtor, P.O. Box 254, Charlottesville, VA 22901; and Herbert L. Beskin, Trustee, P.O. Box 2103, Charlottesville, VA 22902.

/s/ Sara A. John  
Sara A. John  
M. Richard Epps, P.C.